**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CRIMINAL APPELLATE JURISDICTION.**

**CRIMINAL WRIT PETITION NO.1407 OF 2006**

Mustakeen Ahmed Juman Shaikh : Petitioner.

versus

The State of Maharashtra & Anr. : Respondents.

Mr.Mahesh B. Pahane for the petitioner.

Mr.V.B.Konde-Deshmukh, APP, for the State.

**CORAM : D.G.DESHPANDE**

**S.A.BOBDE, JJ.**

**DATED : JULY 07, 2006.**

**P.C.**

1. Rule, returnable forthwith. By consent, the petition is taken up for final hearing. Heard the learned counsel for the petitioner and learned APP for the State.

2. The grievance of the petitioner is that the licence for revolver given to him for

personal security was cancelled by the Police Head Quarter i.e. the Deputy Commissioner of Police by order dated 12th April 2006 without giving him any opportunity of being heard. Further the counsel for the petitioner pointed out that though the petitioner had received show cause notice, he could not appear before the said authority as he had gone out of Maharashtra. In view of this fact and without going into merits, we direct the said authority i.e. the Deputy Commissioner of Police to hear the petitioner and decide the matter afresh without being influenced by his own earlier order which we hereby quashed and set aside after giving opportunity to the petitioner. The petitioner should approach the said authority on 18th July 2006 and the matter should be decided as early as possible within two weeks thereafter. If the petitioner does not appear on 18th July 2006, the initial order to continue. In this view of the matter, this petition is allowed and rule is made absolute for the aforesaid reasons and to the extent stated above only.

**[D.G.DESHPANDE,J]**

[S.A.BOBDE, J]